

DEPARTMENT OF TRANSPORTATION

DIVISION OF ENGINEERING SERVICES

OFFICE ENGINEER

1727 30th STREET, MS-43

P.O. BOX 168041

SACRAMENTO, CA 95816-8041

PHONE (916) 227-6299

FAX (916) 227-6282

TTY 711

www.dot.ca.gov



*Serious Drought.
Serious drought.
Help save water!*

November 17, 2015

Facsimile: (909) 394-4750

Neil T. O'Donnell, President
O'Donnell Construction, Inc.
559 West Covina Boulevard
San Dimas, CA 91773-2911

08-OR4604
08-Riv-91-10.8/12.9
B.O. 10/14/2015

Dear Mr. O'Donnell:

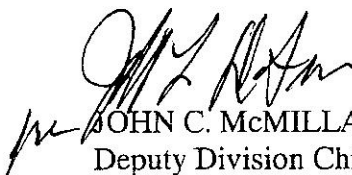
The Department of Transportation (Caltrans) received a letter dated October 28, 2015, from O'Donnell Construction, Inc. (O'Donnell), protesting the Disadvantaged Business Enterprise (DBE) Commitment form submitted by YAKAR for Contract 08-OR4604. The protest alleges that YAKAR listed Miranda Logistics Enterprises (Miranda) to provide "Trucking, Rock, and Gravel Supply," but is not certified as a DBE supplier of rock and gravel and should not be allowed credit towards DBE participation for this portion of work. O'Donnell requests that the contract be awarded to the next lowest bidder.

The Office of Business and Economic Opportunity, Contract Evaluation Branch conducted an evaluation of YAKAR's DBE Commitment form and has determined that Miranda is a regular dealer of rock and gravel (bulk supply). In addition, Miranda owns and operates the dump trucks that deliver the rock and gravel. Therefore, YAKAR will be allowed to list Miranda and claim 60 percent of the work towards the DBE participation goal. Furthermore, YAKAR exceeds the 12 percent participation goal after the partial disallowance.

Based on the finding listed above, Caltrans finds that O'Donnell's protest will have no bearing on the award of this contract.

If you have any questions, please contact Mulissa Smith, Contract Awards Branch Manager, at (916) 227-6228.

Sincerely,


JOHN C. McMILLAN
Deputy Division Chief
Office Engineer
Division of Engineering Services

**** Transmit Conf. Report ****

P.1
CAL/TRANS PLANS COUNTER

Nov 17 2015 03:20pm

Fax/Phone Number	Mode	Start	Time	Page	Result	Note
919093944750	Normal	17:03:19pm	0'48"	1	* O K	

STATE OF CALIFORNIA—CALIFORNIA STATE TRANSPORTATION AGENCY

EDMUND G. BROWN Jr., Governor

DEPARTMENT OF TRANSPORTATION
DIVISION OF ENGINEERING SERVICES
OFFICE ENGINEER
1727 30th STREET, MS-43
P.O. BOX 168041
SACRAMENTO, CA 95816-8041
PHONE (916) 227-6299
FAX (916) 227-6282
TTY 711
www.dot.ca.gov



Serious Drought.
Serious drought.
Help save water!

November 17, 2015

Facsimile: (909) 394-4750

Neil T. O'Donnell, President
O'Donnell Construction, Inc.
559 West Covina Boulevard
San Dimas, CA 91773-2911

08-OR4604
08-Riv-91-10.8/12.9
B.O. 10/14/2015

Dear Mr. O'Donnell:

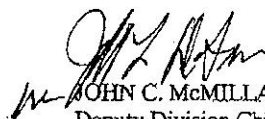
The Department of Transportation (Caltrans) received a letter dated October 28, 2015, from O'Donnell Construction, Inc. (O'Donnell), protesting the Disadvantaged Business Enterprise (DBE) Commitment form submitted by YAKAR for Contract 08-OR4604. The protest alleges that YAKAR listed Miranda Logistics Enterprises (Miranda) to provide "Trucking, Rock, and Gravel Supply," but is not certified as a DBE supplier of rock and gravel and should not be allowed credit towards DBE participation for this portion of work. O'Donnell requests that the contract be awarded to the next lowest bidder.

The Office of Business and Economic Opportunity, Contract Evaluation Branch conducted an evaluation of YAKAR's DBE Commitment form and has determined that Miranda is a regular dealer of rock and gravel (bulk supply). In addition, Miranda owns and operates the dump trucks that deliver the rock and gravel. Therefore, YAKAR will be allowed to list Miranda and claim 60 percent of the work towards the DBE participation goal. Furthermore, YAKAR exceeds the 12 percent participation goal after the partial disallowance.

Based on the finding listed above, Caltrans finds that O'Donnell's protest will have no bearing on the award of this contract.

If you have any questions, please contact Mulissa Smith, Contract Awards Branch Manager, at (916) 227-6228.

Sincerely,


JOHN C. McMILLAN
Deputy Division Chief
Office Engineer
Division of Engineering Services